IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

INCOME TAX APPEAL (LODGING) NO.139 OF 2004
WITH
NOTICE OF MOTIION NO.398 OF 2004

The Commissioner of Income Tax
City VI, Mumbai .. Appellant
V/s
The Century Spg.& Mfg.Co.Ltd. .. Respondent

Mr.A.D.Kango for the Appellant.

CORAM : DR.S.RADHAKRISHNAN, &
V.C.DAGA, JJ.

DATE : 12th June, 2007.

P.C.:

1. The learned Counsel for the Appellant seeks leave to withdraw this Appeal. Appeal is therefore allowed to be withdrawn and dismissed as such. Permissible Court fees be refunded to the Appellant as per the Rules.

2. In view of disposal of the Appeal, nothing further survives in the aforesaid Notice of Motion 398/2004. Hence, Notice of Motion No.398/2004 also stands dismissed.

(V.C.DAGA, J.) **(DR.S.RADHAKRISHNAN,J.)**